

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 30-83 were presented for examination. Of these claims, claims 35, 68, 72, and 82 were indicated as containing allowable subject matter. Accordingly, these claims have been rewritten in independent format and are now in a condition for allowance. Further, claims 74-81 have been amended to depend from allowable claim 72. Accordingly, claims 35, 68, 72, 74-82 are in a condition for allowance and will not be discussed further hereinafter.

Claims 1-29 and claims 44-50, 60, 62, 71, and 73 83 have been canceled. Accordingly, only remaining claims 30-34, 36-43, 51-59, 63-67, 69-70 will be discussed hereinafter.

The Examiner has objected to the Declaration as failing to provide the inventor's mailing address. It is respectfully submitted that this information was provided in the Application Data Sheet that accompanied the present application. Accordingly, a new Declaration is not required.

The Examiner has objected to the drawings for failing to disclose or show features that are currently claimed in claims 36-50 and 56-58. It is submitted that the drawings do, in fact, show all of the features defined in the claims. In this regard the Examiner is referred to Figs. 8A-9. Reconsideration and withdrawal of the objections to

the drawings is respectfully requested.

Claim 66 has been amended to remove the Examiner's grounds for rejection.

Initially, it is noted that the present invention is directed toward an improved coupling and fitting for connecting together two large pieces of substantially rigid pipe, such as HDPE pipe. It is noted the references cited by the Examiner are mostly directed toward hose couplers or couplers for connecting flexible pipes/conduits to one another. Such prior art couplers are generally unrelated to the present invention, and do not encounter the same problems that are found with large, rigid pipe and couplers therefore. The Examiner is asked to keep this in mind as the application and prior art is further reviewed in light of the present amendment.

Claims 30-34 51, 59-60 and 64-67 stand rejected as being anticipated by US 5,740,113 to Schwalm et al. Schwalm teaches a connector for coupling two plastic tubing. Schwalm teaches an inner sleeve that is inserted into ends of both pieces of plastic tubing, and an outer sleeve that is slid over the tubing so as to clamp the tubing between the inner sleeve and the outer sleeve.

With reference to amended claim 30, Schwalm does not teach or suggest "said sidewall having a varying thickness such that a diameter of the opening is generally constant from said second to a position intermediate said first and second ends and then gradually increases from the position intermediate the first and second ends toward the first end", as required. Rather, Schwalm teaches that the inner diameter of the outer sleeve has a complicate, varying profile, contrary to the claimed invention. Accordingly, claim 30 is not anticipated by Schwalm.

With reference to claim 51, this claim has been revised to define the coupling

apparatus illustrated and described in the present application. It is considered apparent that Schwalm is not relevant to this coupling apparatus, and fails to disclose several of the features now claimed, such as the male fitting, the female fitting, and the clamping apparatus. Reconsideration and withdrawal of the rejection of claim 51 is requested.

Claims 59 and 61 depend from claim 51, and are likewise considered to be allowable.

With reference to claim 64, it is submitted that arguments in support of patentability of claim 30 also apply to claim 64. Further, Schwalm fails to teach or suggest "said coupling portion being adapted to receive a mating coupling portion extending from an associated conduit section" as required by claim 64. Accordingly, claim 64, and claims 65-67 that depend therefrom are considered allowable over the Schwalm reference.

Claims 51-55, 62-63 and 83 are rejected as being anticipated by US 1,426,086 to Lowrey. The Examiner's rejection is traversed for the following reasons.

With regard to amended claim 51, Lowrey fails to disclose or suggest the basic features of the male fitting, female fitting, and clamping assembly as now required. It is believed apparent that the structural features added to claim 51 patentably distinguish the claimed assembly from the cited Lowrey patent. Reconsideration and withdrawal of the rejections of claims 51-55 and 63 is requested.

Claims 69-71 and 73-75 stand rejected as being anticipated by US 4,607,867 to Jansen.

With reference to claim 69, Jansen fails to disclose or suggest first and second retainers that are 'rigid one piece annular' members. Jansen teaches band clamps,

which are flexible, multi-piece elements. The Examiner's assertion that the Jansen band clamps are 'rigid once they are clamped in place' fails to account for the fact that such band clamps are not one-piece members, as required. Further, it has been found that band clamps are not functional in this application as they simply cannot be clamped tightly enough to provide the required sealing function. In light of these distinctions it is respectfully submitted that claims 69-71 and 73-75 are not anticipated by Jansen. Reconsideration and withdrawal of these rejections is respectfully requested.

Claims 36, 50 and 56-58 stand rejected as being unpatentable over Lowrey. It is respectfully submitted that the Lowrey reference does not disclose or suggest the features of independent claim 30, from which claims 36 and 56-68 depend. Accordingly, it is submitted that these dependent claims, which define further structural features of the invention, are likewise patentable over this reference. It is also submitted that the Examiner's dismissal of the claimed physical relationship of the raised detents is not in keeping with the cited decision. The present invention does not merely recite that the detents are bigger, but rather relates the physical size of one detent to other detents on the same structure. Having different relative sizes for the detents assists in sealing and operation of the present invention, and therefore cannot be discounted by the Examiner as being a mere design consideration. The Examiner's attention is drawn to this fact, and reconsideration and withdrawal of the rejections is hereby requested.

Claims 36-48 stand rejected as being unpatentable over US 5,558,375 to Newman.

It is respectfully submitted that Newman does not disclose or suggest the features of claim 30, from which claims 36-48 depend. For example, the claimed features of the retainer are not taught by the Newman patent. It is also submitted that the Examiner's dismissal of the claimed physical relationship of the raised detents is not in keeping with the cited decision. The present invention does not merely recite that the detents are bigger, but rather relates the physical size of one detent to other detents on the same structure. Having different relative sizes for the detents assists in sealing and operation of the present invention, and placing the detents in the required relative positions also facilitates sealing. The Examiner's attention is drawn to this fact, and reconsideration and withdrawal of the rejections is hereby requested.

Claims 59 and 60 stand rejected as being unpatentable over Schwalm in view of Newman. Insofar as neither Schwalm nor Newman disclose or suggest the features of claim 51, from which claim 59 depends, it is submitted that this rejection is moot.


Claims 76-77 stand rejected as being unpatentable over Jansen in view of Newman. Finally, claims 78-81 stand rejected as being unpatentable over Jansen. It is respectfully submitted that these claims have been amended to depend from allowable claim 72, and now also considered to be in a condition for allowance.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. WLF-15846.

Respectfully submitted,

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